IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN INSOLVENCY

INSOLVENCY PETITION NO. 27 OF 2001

Re :

Re :

Atmaram R. Parwal … Debtor

Ex-parte :

M/s. Hundlani Finance and Leasing Co. Ltd. … Petitioning Creditor

Mr. Sachin Kudalkar i/by M/s. Madekar and Co., for Petitioning Creditor.
Mr. Mithun Hundalani, Director of Petitioning Creditor, present.
Mr.M.D. Narvekar, OA, present.

CORAM : S.J. KATHAWALLA, J.
DATED : 15TH APRIL, 2015

P.C.:

1. Pursuant to Mr. K.V.Shah filing an Application stating therein that he be allowed to proceed further in Insolvency Petition No.27 of 2011 without a copy of the Power of Attorney issued in his favour by the Petitioning Creditor, the Official Assignee issued a notice to the Advocate for the Petitioning Creditor.

2. Today, Mr. Mithun Hundalani, Director of the Petitioning Creditor along with his Advocate have remained present in Court. Mr. Hundalani has informed the Court that Mr. K.V.Shah is again trying to act on his behalf without any authority. The Petitioning Creditor has never given any power of attorney in favour of Mr. K.V.Shah.

3. In view thereof, Office is directed to issue notice to Mr.K.V.Shah calling upon him to show cause why action should not be taken against him for making a representation to this Court by a Praecipe dated 23rd January, 2015 to allow him to proceed further in Insolvency Petition No.27 of 2001 as the Constituted Attorney of the Petitioning Creditor.

4. The Prothonotary and Senior Master shall prepare a list of all matters filed in the Bombay High Court by Mr. K.V.Shah as the purported Constituted Attorney of any Plaintiff/Petitioner or Defendant/Respondent and submit the same to this Court on 9th June, 2015.

5. The Show Cause Notice is made returnable on 9th June, 2015.

6. Stand over to 9th June, 2015.

(S.J. KATHAWALLA, J.)